

**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL MEETING MINUTES
NOVEMBER 20, 2023
6:00 PM CLOSED SESSION
7:00 PM OPEN SESSION**

CALL TO ORDER

Notice of this meeting in accordance with the "Open Public Meetings Law, 1975, C. "231" was posted at Borough Hall and two newspapers, The Record and The Ridgewood News, were notified.

ROLL CALL

Mayor Rendo asked for roll call. Council members Higgins, Marsh, Margolis, and Schnoll were present. John Schettino, Borough Attorney was present as well as Tomas Padilla, Borough Administrator and Debbie Dakin, Borough Clerk. Councilwoman Gadaleta arrived at 6:30 PM and Councilman Pollack was absent.

CLOSED SESSION

Resolution No. 23-241 A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meeting Act, NJSA 10:4-12

- Litigation Update
- Contraction Negotiations

MOTION to approved Resolution No. 23-241 was made by Council President Margolis, second by Councilwoman Marsh and approved by Councilwoman Higgins, Council President Margolis, Councilwoman Marsh, and Councilman Schnoll. Councilwoman Gadaleta arrived at 6:30 PM and Councilman Pollack was absent.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

MOTION to approve the Minutes of October 16, 2023 (Open) was made by Council President Margolis, second by Councilwoman Marsh and approved by Councilwoman Gadaleta,

Councilwoman Higgins, Council President Margolis, Councilwoman Marsh, and Councilman Schnoll. Councilman Pollack was absent.

MOTION to approve the Minutes of October 16, 2023 (Closed) was made by Councilwoman Gadaleta, second by Council President Margolis and approved by Councilwoman Gadaleta, Councilwoman Higgins, Council President Margolis, Councilwoman Marsh, and Councilman Schnoll. Councilman Pollack was absent.

PUBLIC COMMENT

MOTION to open to the public was made by Councilwoman Marsh, second by Council President Margolis and unanimously approved.

John Glaser, Woodcliff Lake, stated that he was hearing rumbling around town about the Peace and Good Order Ordinance. Mr. Glaser would like to know why we are changing it. Administrator Padilla replied that the original Ordinance was since 1927 and it needed to be updated. Borough Attorney Schettino stated that we had received an email stating that this Ordinance was unconstitutional. Mr. Schettino stated that there are State Statutes that cover these Ordinances, so we are protected. We cannot preempt a State Statute. Mr. Schettino spoke with our Police Department and informed them of the State Statutes and what they are cited for.

MOTION to close to the public was made by Councilwoman Gadaleta. second by Councilwoman Marsh and unanimously approved.

PROCLAMATIONS

- Veteran's Day

MAYOR'S REPORT

Mayor Rendo congratulated Council-elect and Councilman Schnoll for a great campaign. Mayor Rendo thanked all the residents that came out to vote. Woodcliff Lake has the highest percentage of voters in the Pascack Valley and the second highest in the County.

Mayor Rendo and Councilman Schnoll attended the Veteran's Day event at the Bristol, and it was a great event.

COUNCIL REPORTS

Councilwoman Gadaleta stated that DPW is doing a great job with the leaves. December 5th is the last day to put leaves out. Wednesday will be recycling day for all locations. Garbage cans must be brought to the curb during inclement weather. Thank you to the police department and officer Sherfer for the self-defense classes.

Councilwoman Higgins stated that the seniors voted for the officers for next year. The cost is \$10 per year to join the organization and she highly recommends it. The senior holiday luncheon is coming up and it should be a great day. There is an Ordinance prepared for Shade Tree which will be introduced next year. We are waiting for approval from the DEP for certain languages. Councilwoman Higgins stated that she is pleased to announce that the PBA Agreement is on the Agenda for tonight. We have offered 2 people conditional offers of employment for probationary police officers. This should be on the Agenda for the next meeting.

Councilwoman Marsh stated that Parks and Recreation will have a holiday celebration on December 7th with the tree and menorah lighting at Tice Marketplace. Afterwards, pictures with Santa and arts and crafts will take place at the Senior Center which will be decorated as a Winter Wonderland. We are planning for the Menorah Lighting to take place at 5PM, Tree Lighting at 5:45 PM and Santa's arrival at 6PM. The Borough once again is participating in the Van Saun Park tree decorating contest. Judging will take place on December 2nd. Our theme this year is Dr. Suess. Thank you to all the children, residents and staff who participated.

Councilman Schnoll congratulated Josh, Julie and the Mayor on their campaign and wished everyone a Happy Thanksgiving.

Council President Margolis stated that the fields are closed for the season. Tennis will be closing soon as the cold weather is approaching. We are happily awaiting the date for the Chili Cookoff with the Police and Fire Departments. Proceeds from the event will be going to charity. Updating our website is a work in progress and we are hoping that communication will be better and clearer. In these trying times, we must all remember that we are all neighbors.

On December 15, 2023, parking passes for 2024 will start being sold at police headquarters.

ADMINISTRATOR'S REPORT

Administrator Padilla stated that he needs to go over the Best Practices Survey. Each year there is a questionnaire that needs to be filled out from the State by the CFO, Administrator and Clerk based upon how municipalities run things. If certain criteria are satisfactorily met, you receive funding from the State. For instance, there was a policy that needed to be changed regarding employees accumulating sick leave. We changed that procedure as dictated by the State and received points for that. There are a few municipalities that did not change that, and funding is being held up by the State.

Recycling will be picked up on Wednesday for all zones due to the holiday. We will be sending out a Rave alert and it is on our website. Leaf pickup is labor intensive, and they are making their way throughout the town. We are awaiting approval from the DEP for our Shade Tree Ordinance. We hope to introduce this Ordinance early next year.

Administrator Padilla stated that Holly Schepisi from O'Toole Scrivo represents Park Ridge Board of Public Utilities. Ms. Schepisi will be here in a little bit to conduct a public hearing because Park

Ridge Board of Public Utilities is moving forward with a permanent treatment plan for Well #21 located in Woodcliff Lake. As the property is part of Green Acres, a public hearing is required in the community where the well is located in order to commence construction.

PUBLIC HEARING – PARK RIDGE BOARD OF PUBLIC UTILITIES PERMANENT TREATMENT PLAN FOR WELL #20

Holly Schepisi, Esq., stated that the reason this Public Hearing is required is because the Hearing must take place in the community where the well is located. Ms. Schepisi explained that Park Ridge operates a municipal water utility and there is a pre-existing well utilized for drinking water on the land owned by Woodcliff Lake.

There is an expected future exceedance of a maximum containment level for perfluorooctanoic acid otherwise known as PFOA or PFAS or such other contaminant established by the Department of Environmental Protection pursuant to the "Safe Drinking Water Act," P.L. 1977.

Park Ridge Water is looking to be proactive and is looking to install on the land improvements to address the expected exceedance prior to the exceedance taking place and as such this meeting needs to take place.

No other improvements shall be made to the land except as deemed reasonably necessary, and approved by the Department of Environmental Protection, to address the exceedance of the maximum contaminant level, and any such improvements shall be sited in a manner to minimize disturbance to the environment.

The additional use of the lands and any improvements made pursuant to this section shall not substantially impact the use of the lands for recreation and conservation purposes, including public access to the land.

Mayor Rendo asked Ms. Schepisi what action the Borough needs to take. Ms. Schepisi replied that the Governing Body needs to authorize, in writing, to the Commissioner setting forth and demonstrating to the Department of Environmental Protection's satisfaction that it meets the criteria set forth above.

Councilwoman Gadaleta asked where Well #21 is located. Ms. Schepisi replied that it is located on Werimus Road near the Parkway.

MOTION to open to the public was made by Council President Margolis, second by Councilwoman Marsh and unanimously approved.

No comments.

MOTION to close to the public was made by Councilman Schnoll, second by Councilwoman Gadaleta and unanimously approved.

MOTION to authorize Mayor Rendo to send a letter to the Commissioner setting forth and demonstrating to the Department of Environmental Protection's satisfaction that it meets the criteria set forth as mentioned earlier by Ms. Schepisi was made by Councilwoman Gadaleta, second by Councilman Schnoll and unanimously approved.

ORDINANCES

Public Hearing Ordinance No. 23-14

North Broadway Affordable Housing Zone

MOTION to adopt Ordinance No. 23-14 was made by Councilman Schnoll, second by Councilwoman Marsh.

MOTION to open to the public was made by Council President Margolis, second by Councilwoman Marsh and unanimously approved.

James Tosone, Washington Township, stated that he wrote the letter to Woodcliff Lake to amend Chapter 246 and urges the Council to approve it. Mr. Tosone thank Mr. Schettino for his prompt response.

MOTION to close to the public was made by Councilman Schnoll, second by Councilwoman Higgins and unanimously approved.

MOTION to adopt Ordinance No. 23-14 was made by Councilman Schnoll, second by Councilwoman Marsh and unanimously approved. Councilman Pollack was absent.

Public Hearing Ordinance No. 23-16

An Ordinance to Amend Chapter 246 Entitled "Peace and Good Order" of the Borough Code of the Borough of Woodcliff Lake, State of New Jersey

MOTION to adopt Ordinance No. 23-16 was made by Councilman Schnoll, second by Councilwoman Higgins.

MOTION to open to the public was made by Council President Margolis, second by Councilwoman Marsh and unanimously approved.

No comments.

MOTION to close to the public was made by Councilman Schnoll, second by Councilwoman Higgins and unanimously approved.

MOTION to adopt Ordinance No. 23-16 was made by Councilman Schnoll, second by Councilwoman Higgins and unanimously approved.

Introduction Ordinance No. 23-17

An Ordinance of the Borough of Woodcliff Lake Authorizing the Execution and Delivery of a Financial Agreement Pursuant to the Five-Year Exemption and Abatement Law

MOTION to introduce Ordinance No. 23-17 was made by Councilman, Schnoll, second by Councilwoman Gadaleta and unanimously approved.

Introduction Ordinance No. 23-18

An Ordinance of the Borough of Woodcliff Lake Authorizing the Execution and Delivery of a Financial Agreement By and Between the Borough of Woodcliff Lake and Lexington Broadway Urban Renewal LLC ("Owner")

MOTION to introduce Ordinance No. 23-18 was made by Councilwoman Gadaleta, second by Councilman Schnoll and unanimously approved.

Introduction Ordinance No. 23-19

An Ordinance to Amend Chapter 5 Entitled "Administration of Government" of the Borough Code of the Borough of Woodcliff Lake, State of New Jersey

MOTION to introduce Ordinance No. 23-19 was made by Councilwoman Marsh, second by Council President Margolis and unanimously approved.

MOTION to amend the Agenda to include Ordinance No. 23-20 was made by Council President Margolis, second by Councilwoman Gadaleta and unanimously approved.

Introduction Ordinance No. 23-20

An Ordinance Establishing a Joint Planning Board/Zoning Board of Adjustment and Amending An Ordinance Entitled "Land Use" of the Code of the Borough of Woodcliff Lake"

MOTION to introduce Ordinance No. 23-20 was made by Council President Margolis, second by Councilwoman Marsh and unanimously approved.

CONSENT AGENDA

MOTION to approve the Consent Agenda was made by Councilwoman Gadaleta, second by Councilwoman Marsh and unanimously approved.

ADJOURNMENT

MOTION to adjourn was made by Councilwoman Gadaleta, second by Councilwoman Marsh and unanimously approved. The meeting was adjourned at 8:00 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Deborah Dakin". The signature is written in a cursive, flowing style.

Deborah Dakin, RMC, CMR
Borough Clerk

PROCLAMATION

WHEREAS, for more than two centuries, individuals from all walks of life have taken up arms and sworn an oath to support and defend principles upon which our country was founded; and

WHEREAS, throughout our history, courageous men and women have donned the uniform of our Armed Forces built noble tradition of faithful and dedicated service to our Nation; and

WHEREAS, Veterans Day has been set aside as both a national and state holiday to honor those American patriots who answered the call of duty, preserving our freedoms and often making the ultimate sacrifice; and

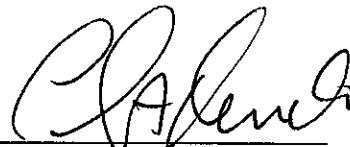
WHEREAS, we can never fully repay our debt of gratitude to those heroic men and women who served, were wounded, or even died in battle, and

WHEREAS, the unwavering commitment of our Soldiers, Sailors, Airmen and Marines, Coast Guardsmen, and Merchant Marines has preserved our freedoms and saved millions around the world from tyranny; and

WHEREAS, we continue to draw inspiration from the heroism and dedication of those who currently serve and sacrifice for the cause of liberty and justice.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake do hereby recognize November 11, 2023 as

VETERANS DAY



Mayor Carlos Rendo

Councilwoman Jacquelline Gadaleta
Council President Jennifer Margolis
Councilman Benjamin Pollack

Councilwoman Josephine Higgins
Councilwoman Nicole Marsh
Councilman Richard Schnoll

ORDINANCE NO. 23-14

NORTH BROADWAY AFFORDABLE HOUSING ZONE

SECTION I.

Section 380-7 of the Borough of Woodcliff Lake Code shall be revised to add the Affordable Housing-North Broadway District (AH-NB), to read as follows (insertions are underlined):

§380-7 Classification of districts

For purposes of promoting public health, safety, morals and general welfare of the community, the Borough of Woodcliff Lake is hereby divided into the following zone districts known as:

R-30	Residential One-Family District
THO	Townhome Overlay District
R-22.5	Residential One-Family District
R-15	Residential One-Family District
B-1	Broadway (East and West) Business District
B-2	Chestnut Ridge Road (West) Business District
B-3	Chestnut Ridge Road (East) Business District
S-O II	Special Office District II
EAO	Executive, Administrative and Research Office District
R-8.15	Residential One-Family District
R-1511	Residential One-Family District
EAO II	Executive Administrative and Research Office District
AH-1	Affordable Housing 1 District
AH-2	Affordable Housing 2 District
AH-3	Affordable Housing 3 District
<u>AH-NB</u>	<u>Affordable Housing-North Broadway District</u>
AHO	Affordable Housing Overlay Zone
O-R	Office Research District
ARHO	Age-Restricted Housing Overlay District
AH-VO	Veterans Affordable Housing Overlay District

SECTION II.

The map entitled "Zoning Map, Borough of Woodcliff Lake," as established and referenced in Section 380-8 of the Borough of Woodcliff Lake, is hereby amended as follows:

- Block 2602, Lots 1, 2, and 9 shall be rezoned from the R-15 Residential One-Family District zone to the AH-NB Affordable Housing North Broadway District.

SECTION III.

A new Section 380-11.4 shall be added to the Borough of Woodcliff Lake Code as follows:

§ 380-11.4 AH-NB Affordable Housing North Broadway District.

A. Permitted Principal Uses

- (1) Multifamily residential units
- (2) Supportive and Special Needs housing beds

B. Permitted Accessory Uses

- (1) Active and passive open space and recreational facilities for residents and guests as customarily incidental to the permitted uses.
- (2) Fences in accordance with Chapter 168 of the Woodcliff Lake Code
- (3) Retaining walls in accordance with the requirements in Section 380-11.4(F)(1)(e) and Section 380-111 C.(4), (6), (7) of the Borough Code.
- (4) Structured parking garages and surface parking lots in accordance with RSIS.
- (5) Signs in accordance with Section 380-11.4(E) and all other applicable provisions of Chapter 287 Signs of the Borough Code.
- (6) Electric vehicle charging stations as required by the New Jersey Municipal Land Use Law.
- (7) Permanent standby generators in accordance with Section 380-84(E)(6) of the Borough Code.
- (8) Bicycle parking facilities.

C. Area, yard and bulk requirements.

(1) Minimum Requirements as follows:

- (a) Tract size: 2.25 acres
- (b) Frontage along Broadway: 200 feet
- (c) Building setback for principal buildings:
 - [1] From front lot line: 25 feet
 - [2] From rear lot line: 150 feet
 - [3] From a side lot line: 20 feet
- (d) Minimum distance between buildings on the tract: 35 feet
- (e) Minimum distance of parking or driveways from perimeter property lines (other than the Broadway fronting lot line): 5 feet

(2) Maximum Requirements as follows:

- (a) Number of multifamily housing units on site: 20 units
- (b) Number of supportive housing and special needs units: 4 units
- (c) Building coverage: 25 percent
- (d) Impervious coverage: 35 percent
- (e) Building height: 38 feet

D. Parking requirements as follows:

- (1) Parking shall be provided according to RSIS.
- (2) Parking shall be provided either on surface parking areas or internal to a principal building.
- (3) Off-street parking spaces shall comply with the standards of the Americans with Disabilities Act (ADA).
- (4) Parking spaces shall be at least nine 9 feet in width and 18 feet in length.
- (5) One outdoor bicycle rack shall also be provided with space for at least six (6) bicycles. Outdoor bicycle racks must be securely anchored and designed to allow the bicycle frame and one wheel to be secured.

E. Signage requirements as follows:

- (a) Maximum number and type: one monument sign.
- (b) Maximum height: 4 feet.
- (c) Maximum sign area: 12 square feet.
- (d) Minimum setback from property line: 5 feet.
- (e) Illumination: external only.
- (f) All other applicable provisions of Chapter 287 Signs of the Borough Code shall apply.

F. Site Planning and Building Guidelines

(1) Site Planning.

- (a) Preservation of Open Space. Driveways, garages, and building foundations shall be designed to minimize the amount of site grading and soil disturbance.
- (b) Mature trees shall be conserved where possible, per Sections 355-11 through 26 of the Borough Code.
- (c) Article XV Protection of Critical Slope Areas Sections 380-106-111 shall apply.
- (d) Any disturbance within the 300-foot Category 1 ("C-1") riparian buffer around the Woodcliff Lake Reservoir shall receive the proper permitting approval from the New Jersey Department of Environmental Protection in accordance with the New Jersey Stormwater Management and Flood Hazard Area Control Acts.

(e) Retaining Walls.

- [1] The maximum permitted height of each retaining wall is eight (8) feet. The height of each retaining wall, and the height of each tier of a wall system, shall be measured as a vertical distance from its bottommost exposed grade to the top of the wall. The maximum height along a varying-height wall shall be used to define the height of each wall.
- [2] Any retaining wall, or tiered wall, with a height of greater than four (4) feet above grade shall be topped with fencing having a minimum height of three (3) feet or, in the alternative provided safety concerns are adequately addressed, densely planted vegetation at 50 percent of the full growth screening.

- [3] Where more than one retaining wall is arranged in a tiered or terraced fashion, there shall be at least five (5) feet distance separating each wall horizontally.
 - [4] Retaining walls shall be constructed in a manner so as to permit the continued flow of natural drainage and shall not cause surface water to be blocked or dammed to create ponding, either upon the property upon which such wall is located or upon any adjacent lot, street or adjoining lands. The bench shall be properly graded to facilitate drainage. Landscaping that is installed in the vicinity of any structural retaining wall shall be appropriate for the location and shall not have a root system that will impair the integrity of the retaining wall.
 - [5] Structural retaining walls shall be constructed of permanent, uniform, engineered materials such as concrete, pre-cast block, or masonry. Exposed areas of the retaining wall shall be faced in a more naturalistic and/or rusticated material such as cultured stone, brick, or stone.
 - [6] Landscape retaining walls may be constructed in the same fashion as the structural retaining walls described above, or of stone or cultured stone or durable or preservative treated wood, or other durable materials.
- (f) Privacy Walls and Fences.
- [1] Any fences or walls provided for privacy or visual screening shall be of attractive and high-quality wood, simulated wood, black-powder-coated aluminum picket style, or stone, manufactured stone, or similar veneer. Chain link fences are prohibited. In addition fences and walls shall adhere to the requirements of Chapter 168 of the Borough Code.
- (g) Trash and Refuse.
- [1] Building trash and recycling collection areas shall be fully contained within a building's garage or utility rooms.
 - [2] No exterior dumpsters or similar containers are permitted.
- (h) Landscaping and Buffering.
- [1] The base of all buildings, on all sides, should be visually softened through installation of landscaping. Such landscaping should be selected and maintained so as not to block building windows or doors.
 - [2] Landscaping should include a mix of hardy perennials, including woody bushes, ornamental flowering plants, evergreens, and plants that maintain their structure for visual interest through winter.
 - [3] Street trees shall be planted along Broadway, spaced no farther apart than 25 to 35 feet on center, except where interrupted by shared driveways.
 - [4] Landscaping shall also be provided in front of all retaining walls, both single and terraced, to break up the visual expanse of such walls. In addition, landscaping shall adhere to the requirements of Section 292-29 of the Borough Code.
- (i) Lighting.

- [1] Site lighting is permitted along driveways and walkways.
 - [2] Glare, trespass, and light pollution shall be minimized.
 - [3] Site lighting shall use full-cutoff, dark-sky-compliant type fixtures, whenever possible. In addition, site lighting shall adhere to the requirements of § 292-28 and §380-79(A) of the Borough Code.
- (j) Pedestrian Walkways.
 - [1] The project shall provide a public sidewalk along the Broadway frontage.
- (k) Screening of Mechanical Equipment.
 - [1] All mechanical equipment serving the townhome units shall be ground mounted.
 - [2] Ground mounted mechanical equipment shall be screened with opaque fencing or landscaping, or both. Chain-link fencing is prohibited as a screening type.
- (2) Building Design.
 - (a) Orientation. The front elevation is defined as the façade that includes garages entries for the majority of the units in each building. In most cases, the front elevation will face uphill or downhill, west or east.
 - (b) The rear elevation is defined as the façade opposite the front elevation. No garage entries are permitted in the rear elevation.
 - (c) Building Entries.
 - [1] Architectural detailing should be used to focus emphasis on the main pedestrian entry for each building.
 - [2] The main pedestrian entry should be emphasized within the façade through massing variation such as recessions and projections, and by architectural elements such as columns, overhangs, and porticos.
 - [3] Main pedestrian entry doors should be paneled, flanked by sidelites, and/or capped by transom windows above.
 - (d) Windows and Shutters.
 - [1] Windows shall be vertically-proportioned.
 - [2] Windows on upper stories should be vertically aligned with windows on the ground floor, rather than haphazardly placed.
 - (e) Garage Doors.
 - [1] Garage doors should have raised panels and a row of lites in the top portion.
 - [2] Garage doors should be recessed relative to the surrounding facade, so as to create shadow lines and diminish their importance in the façade.
- (3) Massing and Articulation.
 - (a) Massing.
 - [1] All building facades shall be divided vertically into distinct bays, each with a maximum width of 50 feet.
 - [2] Each bay shall include a physical change in depth of the façade plane of at least one foot deep relative to the adjoining bay.

- [3] Each bay should be further distinguished from its neighbors through elements such as columns, pilasters, size and rhythm of window spacing, roofline definition, and/or variation in texture, pattern, and color of cladding material.
- [4] The roofline should vary both in height and in shape by means of pitched roof areas, cross-gables, dormer windows, and areas of flat roof defined by cornices, coping, or parapets.
- [5] The rooftop massing expression should relate to the placement of vertical bays.

(b) Articulation.

- [1] The base of the building (containing the garage level) should be emphasized with different and weightier materials (for example, stone cladding).
- [2] Preferred primary materials for all building facades are Hardie-plank® cement board siding, Azek trim for frieze and corner detailing, stone or manufactured stone veneer at lower garage levels, and brick for chimneys. In addition, cast iron, standing seam metal (for roofing), and other types of metal are permitted.

(c) Materials.

- [1] Materials should be applied in a logical manner. Heavier-appearance materials, such as stone, should be placed below lighter-appearance materials, such as wood shingles.
- [2] Cladding and facing materials should be applied in a manner that looks integral to the building design and structure; surface materials should be wrapped around corners of a building to a logical break in plane, so as to avoid a pasted-on appearance.

(d) Lighting.

- [1] Façade-mounted lighting, in the form of goosenecks or sconces, is encouraged at pedestrian entries and garage doors.
- [2] Building lighting shall use full-cutoff dark-sky compliant type fixtures.

BOROUGH OF WOODCLIFF LAKE

Bergen County, New Jersey

Ordinance No. 23-16

**AN ORDINANCE TO AMEND CHAPTER 246 ENTITLED "PEACE AND GOOD ORDER" OF THE
BOROUGH CODE OF THE BOROUGH OF WOODCLIFF LAKE, STATE OF NEW JERSEY**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE
IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:**

WHEREAS, Chapter 246, of the Code of the Borough of Woodcliff Lake sets forth all regulations regarding Peace and Good Order within the Borough of Woodcliff Lake; and,

BE IT ORDAINED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.

Chapter 246. Peace and Good Order.

Sec. 246-3. Disorderly houses. – deleted in its entirety.

Sec. 246-3. Houses of ill fame – deleted in its entirety.

Sec. 246-4. Lewd or immoral acts. – deleted in its entirety.

Sec. 246-5. Loud or profane language. – deleted in its entirety.

Sec. 246-6. Endangering public peace. – deleted in its entirety.

Sec. 246-8. Interrupting religious services. – deleted in its entirety.

Sec. 246-10. Disorderly assemblages. – deleted in its entirety.

Sec. 246-11. Soliciting or begging. – deleted in its entirety.

Sec. 246-14. Indecent or lewd items. – deleted in its entirety.

Sec. 246-20. – Loitering, lounging or sleeping in public places. – deleted in its entirety.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

**BOROUGH OF WOODCLIFF LAKE
ORDINANCE NO. 23-17**

**AN ORDINANCE OF THE BOROUGH OF WOODCLIFF LAKE AUTHORIZING THE EXECUTION AND
DELIVERY OF A FINANCIAL AGREEMENT PURSUANT TO THE FIVE-YEAR EXEMPTION AND
ABATEMENT LAW**

WHEREAS, on December 22, 2022, the Borough adopted Resolution #R22-28 declaring Block 2701, Lot 3 as identified on the tax map of the Borough as an area in need of redevelopment in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the **"Redevelopment Law"** and together with the Tax Exemption Law, the **"Acts"**); and

WHEREAS, on March 20, 2023, the Borough adopted Ordinance No. 23-03 approving and adopting the "Redevelopment Plan for 188 Broadway" (the **"Redevelopment Plan"**) governing Block 2701, Lot 3; and

WHEREAS, 188 Broadway L.P. (the **"Redeveloper"**) is the fee title owner of the property identified on the tax map of the Borough as Block 2701, Lot 3 (the **"Property"**) and intends to create a condominium regime on the Property consisting of two (2) units: (1) a redevelopment project thereon consisting of thirty-seven (37) market rate residential rental units; and (2) nine (9) townhouse units which shall be sold to individual unit purchasers (the townhouse units being referred to as the **"Project"**), all in accordance with the Redevelopment Plan and Redevelopment Agreement; and

WHEREAS, the Redeveloper entered into that certain agreement with the Borough dated August 21, 2023 for the redevelopment of the Property pursuant to the Redevelopment Plan (the **"Redevelopment Agreement"**); and

WHEREAS, pursuant to and in accordance with the provisions of the Five-Year Exemption and Abatement Law, constituting Chapter 441 of the Pamphlet Laws of 1991 of the State, and the acts amendatory thereof and supplement thereto (the **"Tax Exemption Law"**, as codified in N.J.S.A. 40A:21-1 et seq.), the Borough is authorized to provide for tax exemption within a redevelopment area and for payment in lieu of taxes; and

WHEREAS, the Redeveloper may submit an application to the Borough for the approval of an exemption of the Project; and

WHEREAS, in accordance with the Redevelopment Agreement, the Redeveloper may divide the Redevelopment Plan into subprojects and create a condominium regime for the Project; and

WHEREAS, the Borough and the Redeveloper have reached an agreement with respect to, among other things, the terms and conditions relating to the Annual Service Charges on the Project and the terms of a Financial Agreement.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Woodcliff Lake, County of Bergen, New Jersey, as follows:

Section 1. An Exemption Application shall be filed and accepted and approved by the Borough within the timeframe provided by the Exemption Law.

Section 2. The terms of the Financial Agreement shall provide for the applicant to pay to the municipality in lieu of full property tax payments an amount equal to a percentage of taxes otherwise due, according to the following schedule:

1. In the first full year after completion, no payment in lieu of taxes otherwise due;
2. In the second full year after completion, an amount not less than twenty percent (20%) of taxes otherwise due;
3. In the third full year after completion, an amount not less than forty percent (40%) of taxes otherwise due;
4. In the fourth full year after completion, an amount not less than sixty percent (60%) of taxes otherwise due;
5. In the fifth full year after completion, an amount not less than eighty percent (80%) of taxes otherwise due.

Section 3. The Financial Agreement is hereby authorized to be executed and delivered on behalf of the Borough by the Mayor in substantially the form attached hereto as Exhibit B, with such changes as the Mayor, after consultation with such counsel and any advisors to the Borough (collectively, the "**Borough Consultants**") shall determine, such determination to be conclusively evidenced by the execution of the Financial Agreement by the Mayor. The Borough Clerk is hereby authorized and directed to attest to the execution of the Financial Agreement by the Mayor and to affix the corporate seal of the Borough to the Financial Agreement.

Section 4. The Mayor is hereby further authorized and directed to (i) execute and deliver, and the Borough Clerk is hereby further authorized and directed to attest such execution and to affix the corporate seal of the Borough to, any document, instrument or certificate

deemed necessary, desirable or convenient by the Mayor, after consultation with the Borough Consultants, to be executed in connection with the execution and delivery of the Financial Agreement and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and d(ii) perform such other actions as the Mayor deems necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 5. The ordinance shall take effect upon final passage and publication as required by law.

Section 6. Upon final adoption hereof, the Borough Clerk shall forward certified copies of this ordinance to John Schettino, Esq., Borough Attorney and Jeffrey A. Zenn, Special Borough Redeveloper Law Attorney.

Section 7. This ordinance shall be a part of the Code of the Borough of Woodcliff Lake as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

The Borough Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Borough of Woodcliff Lake in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Adopted the Woodcliff Lake Borough Council
on the 18th day of December 2023



Deborah A. Dakin, RMC, CMR
Borough Clerk

ROLL CALL:

Motion:	Margolis
Second:	Gadaleta
Ayes:	Gadaleta, Marsh, Margolis, Pollack
Nays:	Higgins
Abstain:	None
Absent:	Schnoll

**BOROUGH OF WOODCLIFF LAKE
ORDINANCE NO. 23-18**

**AN ORDINANCE OF THE BOROUGH OF WOODCLIFF LAKE AUTHORIZING THE EXECUTION AND
DELIVERY OF A FINANCIAL AGREEMENT BY AND BETWEEN THE BOROUGH OF WOODCLIFF
LAKE AND LEXINGTON BROADWAY URBAN RENEWAL LLC ("OWNER")**

WHEREAS, on December 22, 2022, the Borough adopted Resolution #R22-28 declaring Block 2701, Lot 3 as identified on the tax map of the Borough as an area in need of redevelopment in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the "**Redevelopment Law**" and together with the Tax Exemption Law, the "**Acts**"); and

WHEREAS, on March 20, 2023, the Borough adopted Ordinance No. 23-03 approving and adopting the "Redevelopment Plan for 188 Broadway" (the "**Redevelopment Plan**") governing Block 2701, Lot 3; and

WHEREAS, 188 Broadway L.P. (the "**Redeveloper**") entered into that certain agreement with the Borough dated August 21, 2023 for the redevelopment of the Property pursuant to the Redevelopment Plan (the "Redevelopment Agreement"); and

WHEREAS, the 188 Broadway L.P. is the fee title owner of the property identified on the tax map of the Borough as Block 2701, Lot 3 (the "**Property**") and intends to construct a redevelopment project thereon consisting of thirty-seven (37) market rate residential rental units (the "**Project**"), all in accordance with the Redevelopment Plan and Redevelopment Agreement; and

WHEREAS, pursuant to and in accordance with the provisions of the Long Term Tax Exemption Law, constituting Chapter 431 of the Pamphlet Laws of 1991 of the State, and the acts amendatory thereof and supplement thereto (the "**Long Term Tax Law**", as codified in N.J.S.A. 40A:20-1 et seq.), the Borough is authorized to provide for tax exemption within a redevelopment area and for payment in lieu of taxes; and

WHEREAS, the Redeveloper has submitted an application to the Borough for the approval of the Project as an urban renewal project, as such term is used in the Tax Exemption Law, all in accordance with N.J.S.A. 40A:20-8 (the "**Exemption Application**", a copy of which is attached hereto as Exhibit A); and

WHEREAS, in accordance with the Redevelopment Agreement, the Redeveloper may divide the Redevelopment Plan into subprojects and create a condominium regime for the Project; and

WHEREAS, the Borough and the Redeveloper and Owner have reached an agreement with respect to, among other things, the terms and conditions relating to the Annual Service Charges and desire to execute the Financial Agreement.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Woodcliff Lake, County of Bergen, New Jersey, as follows:

Section 1. The Exemption Application is hereby accepted and approved.

Section 2. The Financial Agreement is hereby authorized to be executed and delivered on behalf of the Borough by the Mayor in substantially the form attached hereto as Exhibit B, with such changes as the Mayor, after consultation with such counsel and any advisors to the Borough (collectively, the "**Borough Consultants**") shall determine, such determination to be conclusively evidenced by the execution of the Financial Agreement by the Mayor. The Borough Clerk is hereby authorized and directed to attest to the execution of the Financial Agreement by the Mayor and to affix the corporate seal of the Borough to the Financial Agreement.

Section 3. The Mayor is hereby further authorized and directed to (i) execute and deliver, and the Borough Clerk is hereby further authorized and directed to attest such execution and to affix the corporate seal of the Borough to, any document, instrument or certificate deemed necessary, desirable or convenient by the Mayor, after consultation with the Borough Consultants, to be executed in connection with the execution and delivery of the Financial Agreement and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Mayor deems necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 4. The ordinance shall take effect upon final passage and publication as required by law.

Section 5. Upon final adoption hereof, the Borough Clerk shall forward certified copies of this ordinance to John Schettino, Esq., Borough Attorney and Jeffrey A. Zenn, Special Borough Redeveloper Law Attorney.

Section 6. This ordinance shall be a part of the Code of the Borough of Woodcliff Lake as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

The Borough Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Borough of Woodcliff Lake in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

BOROUGH OF WOODCLIFF LAKE

Bergen County, New Jersey

ORDINANCE NO. 23-19

**AN ORDINANCE TO AMEND CHAPTER 5 ENTITLED "ADMINISTRATION OF GOVERNMENT" OF THE
BOROUGH CODE OF THE BOROUGH OF WOODCLIFF LAKE, STATE OF NEW JERSEY**

Hereto introduced on the 20th day of November, 2023 at 7:00 PM did pass on first reading and that said Ordinance be further considered for final passage at a meeting to be held on the 18th day of December, 2023 at 7:00 PM or as soon thereafter as the matter can be reached at the regular meeting place of the Borough Council, Tice Senior Center, 411 Chestnut Ridge Road, Woodcliff Lake, New Jersey and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance, and that the Borough Clerk is hereby authorized and directed to publish said Ordinance according to law with a notice of introduction and passage on first reading and of the time and place when and where said Ordinance be further considered.

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE IN THE COUNTY
OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:**

WHEREAS, Chapter 5, of the Code of the Borough of Woodcliff Lake sets forth all regulations regarding Administration of Government within the Borough of Woodcliff Lake; and,

BE IT ORDAINED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, and State of New Jersey that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.

Chapter 5. Administration of Government.

Art. IX – Administrative Organization.

Sec. 5-25 Departments boards and commissions.

A. Departments.

(2) Department of Public Works, Sewers and Sanitation.

(4) Fire Department, Volunteer Emergency Services and Office of Emergency Management.

(6) Department of Sewers and Sanitation – deleted.

B. Boards and agencies.

(1) Zoning Board of Adjustment – deleted and replaced with Planning Board.

(2) Board of Assistance – deleted.

(3) Shade Tree Committee – removed from this section.

C. Committees

(1) Economic Growth & Development

(2) Shade Tree Committee

(3) Legal Committee.

Sec. 5-26 Standing Committees

The Mayor shall provide for standing committees of the Borough Council for each of the departments referred to in Sec. 5-25A of this chapter and the bylaws of the Mayor and Council. Each standing committee shall be composed of no less than two members of the Council appointed by the Mayor and confirmed by a majority of the Council at the organization meeting or thereafter upon the occurrence of a vacancy. The Mayor shall designate one member of each committee referred to in Sec. 5-25B and Sec. 5-25C as Chairperson, which shall also be confirmed by a majority of the Council. The Mayor may, during the year, to be confirmed by a majority of the Council, remove a member or the Chair of any standing committee. No removal shall be made without the affirmative vote of at least three members of the Council. The Mayor shall break all tie votes.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

BOROUGH OF WOODCLIFF LAKE

Bergen County, New Jersey

ORDINANCE NO. 23-20

"AN ORDINANCE ESTABLISHING A JOINT PLANNING BOARD/ZONING BOARD OF ADJUSTMENT AND AMENDING AN ORDINANCE ENTITLED "LAND USE" OF THE CODE OF THE BOROUGH OF WOODCLIFF LAKE"

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, that Chapter 37 entitled "Land Use" of the Code of the Borough of Woodcliff Lake, is hereby amended so as to consolidate all of the powers, duties, authority and jurisdiction of the Board of Adjustment of the Borough of Woodcliff Lake with those of the Planning Board of the Borough of Woodcliff Lake and granting the same to the latter pursuant to and in accordance with N.J.S.A. 40:55D-25 in order that it act as the sole municipal land use board of the Borough and further amending and supplementing related provisions of the code to effectuate the said transition and that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged:

WHEREAS, N.J.S.A. 40:55D-25(c) authorizes municipalities having a population of 15,000 or less to establish by Ordinance, a single nine-member Planning Board to exercise all the powers of the Planning Board and Board of Adjustment; and

WHEREAS, the Mayor and Council find that the Borough of Woodcliff Lake has a population of less than 15,000 and that the adoption of an Ordinance establishing a joint Planning and Zoning Board is in the best interest of the Borough.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Woodcliff Lake in the County of Bergen and State of New Jersey, as follows:

Establishment and composition.

A. There is hereby established in the Borough of Woodcliff Lake pursuant to N.J.S.A. 40:55D-25c, as amended, a Land Use Board of nine members which Board shall have the combined powers and duties of a municipal planning board and zoning board of adjustment, and consisting of four classes of members as delineated below:

(1) Class I: the Mayor or the Mayor's designee in the absence of the Mayor.

(2) Class II: one of the officials of the Borough of the municipality other than a member of the governing body, to be appointed by the Mayor, provided that if there be an Environmental Commission, the member of the Environmental Commission who is also a member of the Land Use Board as required by Section 1 of P.L. 1968, c. 245 (N.J.S.A. 40:56A-1), shall be deemed to be the Class II Land Use Board member if there be among the Class IV or alternate members of the Land Use Board both a member of the Board of Education.

(3) Class III: a member of the governing body to be appointed by it.

(4) Class IV: six other citizens of the Borough, to be appointed by the Mayor. The members of Class IV shall hold no other municipal office, position or employment, except that in the case of nine-member boards, one such member may be a member of the Historic Commission. No member of the Board of Education may be a Class IV member of the Land Use Board, except that in the case of a nine-member board, one Class IV member may be a member of the Board of Education.

B. In addition to the foregoing, alternate members may be appointed to the Land Use Board as Class IV members, and such alternate members shall not exceed four. Alternate members shall be appointed by the Borough Committee for Class IV members and shall meet the qualifications of Class IV members of nine-member Land Use Boards. Alternate members shall be designated at the time of appointment by the Mayor as "Alternate No. 1," "Alternate No. 2," "Alternate No. 3" and "Alternate No. 4."

Terms of office.

A. The term of the member composing Class I shall correspond to the Mayor's official tenure, or, if the member is the Mayor's designee in the absence of the Mayor, the designee shall serve at the pleasure of the Mayor during the Mayor's official term.

B. The terms of the members composing Class II and Class III shall be for one year or terminate at the completion of their respective terms of office, whichever occurs first, except for a Class II member who is also a member of the Environmental Commission. The term of a Class II or Class IV member who is also a member of the Environmental Commission shall be for three years or terminate at the completion of his term of office as a member of the Environmental Commission, whichever occurs first.

C. The term of a Class IV member who is also a member of the Board of Education shall terminate whenever he is no longer a member of such other body or at the completion of his Class IV term, whichever occurs first. The terms all Class IV members first appointed shall be so determined that to the greatest practicable extent the expiration of such terms shall be distributed evenly over the first four years after their appointments, provided that the initial Class IV term of no member shall exceed four years. Thereafter, the Class IV term of each such member shall be four years.

D. Alternate members.

(1) The terms of the alternate members shall be for two years, except that the terms of the alternate members shall be such that the term of not more than one alternate member shall expire in any one year; provided, however, that in no instance shall the terms of the alternate members first appointed exceed two years.

(2) Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member of any class. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

Vacancies and removal from office.

If a vacancy in any class shall occur otherwise than by expiration of the Land Use Board term, it shall be filled by appointment, as above provided, for the unexpired term. No member of the Land Use Board shall

be permitted to act on any matter in which he or she has, either directly or indirectly, any personal or financial interest. Any member other than a Class I member, after a public hearing if he or she request one, may be removed by the governing body for cause.

Officers of Land Use Board; Site Plan and Subdivision Review Committee appointment and duties.

A. The Land Use Board shall elect a Chairman and Vice Chairman from the members of Class IV, and select a Secretary, who may or may not be a member of the Land Use Board or a municipal employee.

B. The Chairman of the Land Use Board may appoint a Site Plan and Subdivision Review Committee for the purpose of reviewing all applications for preliminary subdivision and site plan approvals and all applications for approval of use variances submitted in relation to applications for preliminary subdivision and site plan approval, making reports and recommendations to the Land Use Board, and performing such other duties as may be conferred upon it by the Board. The Committee's membership shall be composed of members of the Land Use Board, designated professional employees of the Borough, Land Use Board consultants, and/or representatives of such other agencies as shall be designated by the Board.

Experts and staff.

The Land Use Board may employ or contract for and fix compensation of a Land Use Board Attorney, other than the Borough Attorney, and experts, staff personnel and other services as it may deem necessary, not exceeding, exclusive of gifts or grants, the amount appropriated by the governing body for its use.

Powers and duties generally.

The Land Use Board is authorized to adopt bylaws governing its procedural operation and in accordance with provisions of N.J.S.A. 40:55D-1 et seq., it shall also have the following powers and duties of a Planning Board:

A. To prepare and, after public hearing, adopt or amend a Master Plan or component parts thereof, to guide the use lands within the Borough in a manner which protects public health and safety and promotes the general welfare, in accordance with the provisions of N.J.S.A. 40:55D-28.

B. To administer provisions of all development regulations of the municipality, including subdivision control and site plan review, in accordance with the provisions of said regulations and the Municipal Land Use Law of 1975, N.J.S.A. 40:55D-1 et seq., as amended.

C. When reviewing applications for approval of subdivision plats, site plans or conditional uses:

(1) To grant:

(a) Direction pursuant to N.J.S.A. 40:55D-34 for issuance of a permit for a building or structure in the bed of a mapped street or public drainageway, flood control basin or public area reserved pursuant to N.J.S.A. 40:55D-32.

(b) Direction pursuant to N.J.S.A. 40:55D-36 for issuance of permit for a building or structure not related to a street.

(2) Whenever relief is requested pursuant to this subsection, notice of a hearing on the application for development shall include reference to the request for a variance or direction for issuance of a permit, as the case may be.

D. To participate in the preparation and review of programs or plans required by state or federal law or regulation.

E. To assemble data on a continuing basis as part of a continuing planning process.

F. To annually prepare a program of municipal capital improvement projects projected over a term of six years, and amendments thereto, and recommend same to the governing body.

G. Pursuant to N.J.S.A. 40:55D-25(c), the Land Use Board shall exercise, to the same extent and subject to the same restriction, all powers of a Zoning Board of Adjustment, including but not limited to those powers and duties prescribed by law to a Board of Adjustment pursuant to N.J.S.A. 40:55D-70 and N.J.S.A. 40:55D-776. In exercising the powers of the Board of Adjustment, the Class I and Class III members of Land Use Board shall not participate in the consideration of applications for development which involve relief pursuant to Subsection d of Section 57 of P.L. 19775, c. 291 (N.J.S.A. 40:55D-70, as amended), including:

(1) Hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made by an administrative officer based on or made in the enforcement of the Zoning Ordinance;

(2) Hear and decide requests for interpretation of the zoning map or ordinance or for decision upon other special questions upon which such board is authorized to pass by any Zoning or Official Map Ordinance, in accordance with N.J.S.A. 40:55D-1 et seq., as amended, or any other development regulation;

(3) Grant variance from regulations:

(a) Where by reason of exception narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the developer of such property, grant, upon application or an appeal relating to such property, a variance from such strict application of such regulation so as to relieve such difficulties and hardship;

(b) Where in an application or appeal relating to a specific piece of property the purposes of this chapter would be advanced by a deviation from the Zoning Ordinance requirements and the benefits of the deviation would substantially outweigh any detriment, grant a variance to allow departure from said regulations; provided, however, that no variance from those departures enumerated in Subsection D of this section shall be granted under this subsection; and

(4) In particular cases for special reasons, grant variance to allow departure from this chapter to permit:

(a) A use or principal structure in a district restricted against such use or principal structure;

(b) An expansion of a nonconforming use;

(c) Deviation from a specification or standard pursuant to N.J.S.A. 40:55D-67 pertaining solely to a conditional use;

(d) An increase in the permitted floor area ratio as defined in N.J.S.A. 40:55D-4;

(e) An increase in the permitted density as defined in this chapter, except as applied to the required lot area for a lot or lots for detached one- or two-dwelling-unit buildings, which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision; or

(f) A height of a principal structure which exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure.

(5) A variance under this subsection shall be granted only by affirmative vote of at least two-thirds of the full authorized membership of this board.

(6) In exercising the above mentioned powers the Land Use Board, as the Board of Adjustment, may, in conformity with the provisions of N.J.S.A. 40:55D-1 et seq., or amendments thereto or subsequent statutes applying, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and make sure other requirements, decisions or determination as ought to be made, and to that end have all the powers of the administrative officer from whom the appeal was taken.

H. To consider and make report to the governing body within 35 days after referral as to any proposed development regulation submitted to it pursuant to the provisions of N.J.S.A. 40:55D-26a, and also pass upon other matters specifically referred to the Land Use Board by the governing body pursuant to the provisions of N.J.S.A. 40:55D-26b.

I. To carry out the provisions set forth in this chapter for the preservation of historic resources.

J. To perform such other advisory duties as are assigned to it by ordinance or resolution of the governing body for the aid and assistance of the governing body or other agencies and officers of the municipality.

Rules and regulations.

The Board shall adopt such rules and regulations as may be necessary to carry into effect the provisions and purposes of this chapter. In the issuance of subpoenas, administration of oaths and taking of testimony, the provisions of the County and Municipal Investigation Law (N.J.S.A. 2A:67A-1 et seq.) shall apply.

Conflicts of interest.

No member of the Land Use Board shall act on any matter in which he or she has, either directly or indirectly, any personal or financial interest. Whenever any such member shall disqualify himself or herself from acting on a particular matter, he or she shall not continue to sit with the Board on the hearing of such matter nor participate in any discussion or decision relating thereto. This would include voting on a memorializing resolution relating to the such matter and the decision thereon.

Meetings.

A. Meetings of the Land Use Board shall be scheduled no less often than once a month and any meeting so scheduled shall be held as scheduled unless canceled for lack of applications for development to process or appeals to be heard and decided.

B. Special meetings may be provided for at the call of the Chairman or on the request of any two Board members, which shall be held on notice to the Board's members and the public in accordance with all applicable legal requirements.

C. No action shall be taken at any meeting without a quorum present.

D. All actions shall be taken by majority vote of the members present at the meeting except as otherwise required by any provisions of N.J.S.A. 40:55D-1 et seq. Failure of a motion to receive the number of votes required to approve an application for development or appeal pursuant to the exceptional vote requirements of N.J.S.A. 40:55D-34 and 40:55D-67d shall be deemed an action denying the application.

E. All regular meetings and all special meetings shall be open to the public. Notice of all such meetings shall be given in accordance with the requirements of the Open Public Meetings Act (N.J.S.A. 40:4-6 et seq.). An executive session for the purpose of discussion and studying matters to come before the Board shall not be deemed regular or special meetings in accordance with the provisions of N.J.S.A. 40:55D-9.

Zoning Board of Adjustment

Article II entitled Zoning Board of Adjustment, is hereby deleted in its entirety.

BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta						X
Higgins			X			
Marsh		X	X			
Pollack						X
Schnoll			X			
Margolis	X		X			
Mayor Rendo						

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

RESOLUTION NO. 23-241 NOVEMBER 20, 2023

WHEREAS, the Borough of Woodcliff Lake is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Borough of Woodcliff Lake to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

_____ 1. Matters Required by Law to be Confidential. Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

_____ 2. Matters Where the Release of Information Would Impair the Right to Receive Funds. Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

_____ 3. Matters Involving Individual Privacy. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing,

_____ 8. Matters Relating to the Employment Relationship. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting, specifically: personnel discussion.

The minutes will be released within ninety (90) days or earlier upon the resolution of the matter through settlement or court decision and the time period for any and all appeals.

_____9. Matters Relating to the Potential Imposition of a Penalty. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

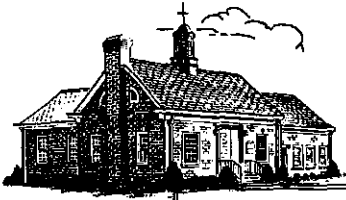
NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, assembled in public session on November 20, 2023 that an Executive Session closed to the public shall be held on November 20, 2023 at 6:00 P.M. at the Borough of Woodcliff Lake Tice Senior Center regarding the discussion of matters relating to the specific items designated above.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 20, 2023.



**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta	X		X			
Higgins			X			
Marsh		X	X			
Pollack						X
Schnoll			X			
Margolis			X			
Mayor Rendo						

RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

RESOLUTION NO. 23-242 NOVEMBER 20, 2023

BE IT RESOLVED, that the following Payroll Disbursements made by the Treasurer since the last meeting are proper and hereby ratified and approved:

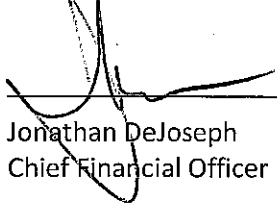
Payroll Released 10/31/2023 \$237,494.13
Payroll Released 11/15/2023 \$264,374.77

BE IT FURTHER RESOLVED that the following current claims against the Borough for materials and services have been considered and are proper and hereby are approved for payment:

Current Fund: \$ 289,810.34
Open Space: \$ 6,609.30
Animal Control: \$ 670.80
Trust/Other: \$ 1,788.08
General Capital: \$ 279,979.07
Affordable Housing: \$ 3,420.00
State Unemployment: \$ 894.92
Escrow: \$ 8,786.75

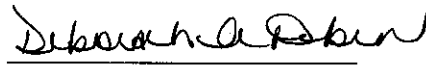
CERTIFICATION OF FUNDS

I, Jonathan DeJoseph, Chief Financial Officer of the Borough of Woodcliff Lake, hereby duly certify that fund(s) are available for Payroll Disbursements and Payment of Claims.


Jonathan DeJoseph
Chief Financial Officer

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of November 20, 2023.


Deborah A. Dakin, RMC, CMR
Borough Clerk



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta	X		X			
Higgins			X			
Marsh		X	X			
Pollack						X
Schnoll			X			
Margolis			X			
Mayor Rendo						

RESOLUTION APPROVING SOLICITORS LICENSE TO THE EXTERIOR COMPANY

RESOLUTION NO. 23-243

NOVEMBER 20, 2023

WHEREAS, Devon Pearson, David Connell, David Allen and Daniel Leatherman of The Exterior Company has applied to the Borough Clerk's Office for a solicitor's license to sell roofing, siding and gutters; and

WHEREAS, the Police Department has stated that there is no reason to deny these applications; and

WHEREAS, the applicants have been advised of the rules and guidelines established in the Borough of Woodcliff Lake and strict adherence to this policy must be followed.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake authorize the Borough Clerk to issue a solicitor's license to Devon Pearson, David Connell, David Allen and Daniel Leatherman.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of November 20, 2023.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677						
Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Carlos Rendo, Mayor						
Tomas J. Padilla, Borough Administrator						
Gadaleta	X		X			
Higgins			X			
Marsh		X	X			
Pollack						X
Schnoll			X			
Margolis			X			
Mayor Rendo						

201-391-4977
Fax 201-391-8830

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 AND FINAL FOR MARJO COURT AND HILLCREST ROAD ROADWAY IMPROVEMENTS

RESOLUTION NO. 23-244 NOVEMBER 20, 2023

BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, Bergen County, New Jersey, upon the recommendation of the Borough Engineer that the Change Order for the Contract listed below be and hereby approved.

TITLE OF JOB: Marjo Court and Hillcrest Road Roadway Improvements
CONTRACTOR: 4-Cleanup Inc., PO Box 5098, North Bergen, NJ 07047
CHANGE ORDER No.: 1 and Final

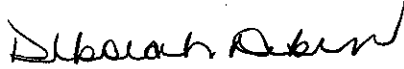
AMOUNT OF CHANGE ORDER THIS RESOLUTION: Decrease -16.40% -\$42,404.50
AMOUNT OF CHANGE TO DATE: Decrease -16.40% -\$42,404.50

REASON FOR CHANGE: Reduction – Adjustment in Contract Quantities

NEGLIA FILE NO: WDLAMUN22013

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 20, 2023.

A handwritten signature in black ink, appearing to read "Deborah Dakin", written over a horizontal line.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta	X		X			
Higgins			X			
Marsh		X	X			
Pollack						X
Schnoll			X			
Margolis			X			
Mayor Rendo						

RESOLUTION AUTHORIZING PAYMENT OF RETAINAGE TO 4-CLEANUP FOR MARJO COURT AND HILLCREST ROAD ROADWAY IMPROVEMENTS

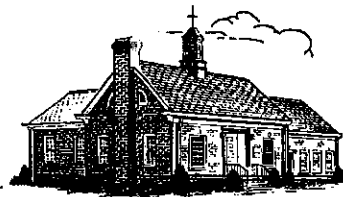
RESOLUTION NO. 23-245 NOVEMBER 20, 2023

BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, Bergen County, New Jersey, that the contract for the Marjo Court and Hillcrest Road Roadway Improvements has been completed by 4-Cleanup Inc., PO Box 5098, North Bergen, NJ 07047 in accordance with the Plans and Specifications and any approved change orders, as directed by the Project Engineer. The above referenced construction is hereby accepted and payment of retainage in the amount of \$4,323.94 is hereby approved.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 20, 2023.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta	X		X			
Higgins			X			
Marsh		X	X			
Pollack						X
Schnoll			X			
Margolis			X			
Mayor Rendo						

RESOLUTION AUTHORIZING DISPOSAL OF BOROUGH EQUIPMENT

RESOLUTION NO. 23-246

NOVEMBER 20, 2023

WHEREAS, the Borough desires to dispose of the following municipal property thru Teplitz Metals as same are no longer needed or utilized by the Borough:

- a. Metal roll-off container with Inventory #93

WHEREAS, the Superintendent of the Department of Public Works has certified that the above referenced equipment is no longer needed or utilized by the Borough; and

WHEREAS, the Borough Administrator has reviewed this matter and recommends that the above referenced municipal property be disposed at through Teplitz Metals as same is no longer needed or utilized by the Borough.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, and State of New Jersey that the following municipal property be disposed of by Teplitz Metals:

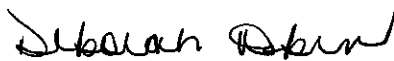
- a. Metal roll-off container with Inventory #93

BE IT FURTHER RESOLVED, that the Borough Administrator and/or the Superintendent of the Department of Public Works be and are hereby authorized and directed to take all steps necessary to effectuate the disposal of the above referenced municipal property through Teplitz Metals; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a certified copy of this resolution to Teplitz Metals upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 20, 2023.

A handwritten signature in black ink, appearing to read "Deborah Dakin", is written above a horizontal line.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta	X		X			
Higgins			X			
Marsh		X	X			
Pollack						X
Schnoll			X			
Margolis			X			
Mayor Rendo						

RESOLUTION AUTHORIZING THE MAYOR AND COUNCIL TO ENTER INTO A GRANT AGREEMENT WITH BERGEN COUNTY FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE TICE SENIOR CENTER PATIO IMPROVEMENTS

RESOLUTION NO. 23-247 NOVEMBER 20, 2023

BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$17,686 in 2023/2024 Community Development Block Grant funds for Tice Senior Center Patio Improvements located at 411 Chestnut Ridge Road, Woodcliff Lake, New Jersey; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Tomas Padilla to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Tomas Padilla to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that Woodcliff lake is liable for any funds not spent in accordance with the Grant Agreement, and that liability of the Mayor and Council is in accordance with HUD requirements.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 20, 2023.

A handwritten signature in dark ink, appearing to read "Deborah Dakin", is written over a horizontal line.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta	X		X			
Higgins			X			
Marsh		X	X			
Pollack						X
Schnoll			X			
Margolis			X			
Mayor Rendo						

RESOLUTION TO SOLICIT QUOTES FOR THE WERIMUS LANE PUMPING STATION EMERGENCY BYPASS PUMPING CHAMBER

RESOLUTION NO. 23-248
NOVEMBER 20, 2023

BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake, Bergen County, New Jersey upon the recommendation of the Borough Engineering Consultant, Neglia Group, that the Borough solicit quotes for Werimus Lane Pumping Station Emergency Bypass Pumping Chamber.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 20, 2023.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta	X		X			
Higgins			X			
Marsh		X	X			
Pollack						X
Schnoll			X			
Margolis			X			
Mayor Rendo						

RESOLUTION AUTHORIZING AWARD TO NIELSON FORD FOR 2024 FORD F-450

RESOLUTION NO. 23-249

NOVEMBER 20, 2023

WHEREAS, the Borough of Woodcliff Lake Department of Public Works is in receipt of a quote from Nielson Ford for a 2024 Ford F-450 DRW (F4H) XL 4WD Reg Cab 145" WB 60"CA; and

WHEREAS, the quote, a copy of which is attached hereto and incorporated herein by reference, in the amount of \$53,743.00 is being submitted thru NJ State Contract #FLEET-34923; and

WHEREAS, the Borough Administrator and the Superintendent of the Department of Public Works have reviewed the quote attached hereto and incorporated herein by reference for the 2024 Ford F450 (F4H) XL 4WD Reg Cab 145" WB 60"CA and recommend the approval of same; and

WHEREAS, the Chief Financial Officer of the Borough has certified that funds are available for the purchase of same in Account No. C-04-55-938-020, a copy of said certification being attached hereto; and

WHEREAS, the Borough Attorney has prepared a contract agreement between the Borough and Nielson Ford, a copy of which is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake that the quote submitted by Nielsen Ford for a 2024 Ford F450 DRW (F4H) XL 4WD Reg Cab 145" WB 60"CA in the amount of \$53,743.00, a copy of which is attached hereto


and incorporated herein by reference, be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Administrator and/or Superintendent of the Department of Public Works, take all steps necessary to effectuate the purchase with Nielson Ford for the 2024 Ford F450 vehicle; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized and directed to forward a copy of this resolution together with the signed proposal and contract agreement to Nielson Ford upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 20, 2023.



DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta	X		X			
Higgins			X			
Marsh		X	X			
Pollack						X
Schnoll			X			
Margolis			X			
Mayor Rendo						

RESOLUTION APPROVING JUDGMENT AND PAYMENT TO SIG 100 TICE LLC FOR TAX YEAR 2022

RESOLUTION NO. 23-250 NOVEMBER 20, 2023

WHEREAS, the Borough of Woodcliff Lake is in receipt of the filed Stipulation of Settlement and Judgment from the Tax Court of New Jersey with regard to the tax Appeal SIG 100 TICE LLC v Woodcliff Lake, Docket No. 002899-2022; and

WHEREAS, in accord with same, the total estimated tax refund for tax year 2022 due SIG 100 Tice LLC is calculated to be \$466,013.37; and

WHEREAS, the Borough Administrator and Tax Collector have reviewed this matter and recommend the payment of \$466,013.37 to McCarter & English, LLP, attorneys for SIG 100 Tice LLC, representing the refund due for tax year 2022.

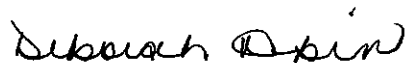
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake that the tax refund due SIG 1200 Tice LLC for tax year 2022 in the amount of \$466,013.37 be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Administrator and/or Finance Officer take all steps necessary to effectuate the tax refund in the amount of \$466,013.37 to SIG 100 Tice LLP; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized and directed to forward a copy of this resolution to McCarter & English LLP, attorneys for SIG 100 Tice LLC upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 20, 2023.

A handwritten signature in cursive script, reading "Deborah Dakin", is written over a horizontal line.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta	X		X			
Higgins			X			
Marsh		X	X			
Pollack						X
Schnoll			X			
Margolis			X			
Mayor Rendo						

RESOLUTION APPROVING NEGLIA ENGINEERING PROPOSAL FOR BIDDING AND CONSTRUCTION MANAGEMENT OF WERIMUS LANE PUMPING STATION

RESOLUTION NO. 23-251 NOVEMBER 20, 2023

WHEREAS, the Borough is in receipt of a proposal from Neglia Engineering Associates for Bidding and Construction Management of the Werimus Lane Pumping Station (Bypass Pumping Chamber (PS-101)), on a time and material basis with a not to exceed cost estimated as follows:

(a) Task 1: Services During Bidding - \$8,000.00; and (b) Task 2; Services During Construction Management - \$18,000.00; for a total of \$26,800.00 and

WHEREAS, the Chief Financial Officer has certified that said funds are available for this matter, said certification being attached hereto and incorporated herein by reference; and

WHEREAS, the Borough Administrator and Superintendent of Department of Public Works have reviewed the proposal submitted by Neglia Engineering for Bidding and Construction Management Services, a copy of which is attached hereto and incorporated herein by reference and recommends the approval of same.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Woodcliff Lake, County of Bergen, and State of New Jersey, that the proposal submitted by Neglia Engineering Associates for Bidding and Construction Management of the Werimus Lane Pumping Station (Bypass Pumping Chamber (PS-101)) for a total estimated cost of \$26,800.00 be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Mayor be and is hereby authorized and directed to execute the attached proposal on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized and directed to forward a copy of this resolution together with the signed proposal to Neglia Engineering Associates upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 20, 2023.

A handwritten signature in cursive script, appearing to read "Deborah Dakin", is written above a horizontal line.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta	X		X			
Higgins			X			
Marsh		X	X			
Pollack						X
Schnoll			X			
Margolis			X			
Mayor Rendo						

RESOLUTION APPROVING THE CONTRACT WITH P.B.A. LOCAL NO. 206 AND AUTHORIZING MAYOR TO EXECUTE AGREEMENT ON BEHALF OF THE BOROUGH IN THE BOROUGH OF WOODCLIFF LAKE, COUNTY OF BERGEN, NEW JERSEY

RESOLUTION NO. 23-252
NOVEMBER 20, 2023

WHEREAS, the Collective Negotiations Agreement ("CNA") between the Borough of Woodcliff Lake ("Woodcliff Lake") and the Woodcliff Lake Police Department Local 206 ("PBA") expired on December 31, 2022; and

WHEREAS, Woodcliff Lake and the PBA have engaged in ongoing negotiations to discuss and agree upon the terms and conditions of a successor CBA; and

WHEREAS, Woodcliff Lake and the PBA have agreed upon the terms of a successor Agreement for the term January 1, 2023 through December 31, 2025;

WHEREAS, Woodcliff Lake wishes to memorialize its approval of the terms and conditions of the successor Agreement by adoption of this Resolution; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake that the Collective Negotiations Agreement as between the Borough of Woodcliff Lake and the PBA for the term January 1, 2023 through December 31, 2025, be and hereby is **APPROVED**; and

BE IT FURTHER RESOLVED that the Mayor, the Chief Financial Officer, and the Borough Attorney are authorized to take all appropriate actions so as to implement this Resolution.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of November 20, 2023.



DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta	X		X			
Higgins			X			
Marsh		X	X			
Pollack						X
Schnoll			X			
Margolis			X			
Mayor Rendo						

RESOLUTION APPROVING HIRING OF FULL TIME RECREATION DIRECTOR/ SPECIAL EVENTS COORDINATOR

**RESOLUTION NO. 23-253
NOVEMBER 20, 2023**

WHEREAS, there presently exists an opening in the Parks and Recreation Department for a Recreation Director/Special Events Coordinator; and

WHEREAS, upon review of the application submitted and interview conducted, the Borough Administrator and Council recommend the hiring of Ryan Magee Full Time Recreation Director/Special Events Coordinator effective December 11, 2023 with an annual salary of \$59,500.00; and

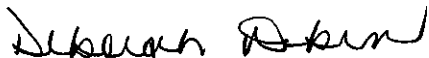
WHEREAS, Ryan Magee possesses all of the qualifications necessary for the position of Full Recreation Director/Special Events Coordinator.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Woodcliff Lake that Ryan Magee be and is hereby hired to the position of Full Time Recreation Director/Special Events Coordinator effective December 11, 2023 at an annual salary of \$59,500.00; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized and directed to place a copy of this resolution in the personnel file of the Full Time Recreation Director/Special Events Coordinator upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 20, 2023.

A handwritten signature in black ink, appearing to read "Deborah Dakin", is written over a horizontal line.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta	X		X			
Higgins			X			
Marsh		X	X			
Pollack						X
Schnoll			X			
Margolis			X			
Mayor Rendo						

RESOLUTION FOR MUNICIPALITIES TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS

RESOLUTION NO. 23-254
NOVEMBER 20, 2023

WHEREAS, a Bergen County Community Development grant of \$60,000 has been proposed by Meals on Wheels Volunteer/Staff Training and Development in Bergen County; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of Bergen County; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 20, 2023.

A handwritten signature in black ink, appearing to read "Deborah Dakin", written over a horizontal line.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta	X		X			
Higgins			X			
Marsh		X	X			
Pollack						X
Schnoll			X			
Margolis			X			
Mayor Rendo						

RESOLUTION APPROVING ROLL OFF EQUIPMENT FOR FREIGHTLINER 108SD

RESOLUTION NO. 23-255

NOVEMBER 20, 2023

WHEREAS, the Borough of Woodcliff Lake is in receipt of Quote No. EG101123A from Cliffside Body Corporation submitted through the New Jersey State approved Co-Op#65MCESCCPS for roll off equipment for a Freightliner 108SD vehicle for the Department of Public Works in the amount of \$58,445.53, a copy of which is attached hereto and incorporated herein by reference; and

WHEREAS, the Borough Administrator and the Superintendent of Department of Public Works have reviewed the quote attached hereto and incorporated herein by reference for roll off equipment for a Freightliner 108SD vehicle and recommend the approval and purchase of same; and

WHEREAS, the Borough Attorney has prepared a contract agreement between the Borough and Cliffside Body Corporation for same, a copy of which is attached hereto and incorporated herein by reference, and recommends the approval of same; and

WHEREAS, the Chief Financial Officer has certified that the funds are available for said purchase, said certification being attached hereto and incorporated herein by reference and we will rescind Resolution No. 23-234.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that Quote No. EG101123A from Cliffside Body Corporation submitted through New Jersey State approved Co-Op#65MCESCCPS for roll off equipment for a Freightliner 108SD vehicle for the Department of Public Works in the

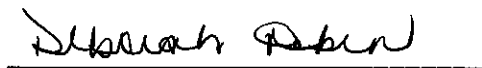
amount of \$58,445.53, a copy of which is attached hereto and incorporated herein by reference, be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Administrator and/or Superintendent of the Department of Public Works take all steps necessary to effectuate the purchase of the roll off equipment for the Woodcliff Lake Department of Public Works; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized and directed to forward a copy of this resolution together with the contract agreement to Cliffside Body Corporation upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of Novembre 20, 2023.

A handwritten signature in dark ink, appearing to read "Deborah Dakin", is written over a horizontal line.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Attorney

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta	X		X			
Higgins			X			
Marsh		X	X			
Pollack						X
Schnoll			X			
Margolis			X			
Mayor Rendo						

RESOLUTION APPROVING PETITION TO FAA TO REDUCE AIR TRAFFIC NOISE

RESOLUTION NO. 23-256

NOVEMBER 20, 2023

WHEREAS, a large volume of private jets flying into Teterboro Airport brings intolerable noise levels in the Borough of Woodcliff Lake significantly impacting the quality of life of its residents and the entire Pascack Valley Region; and

WHEREAS, since 2019, the air route over Route 17, RNAV, GPS X was established as an alternate route; and

WHEREAS, voluntary noise abatement recommendations have failed to effectively achieve the necessary utilization of this route; and

WHEREAS, the utilization of the Route 17 corridor will significantly mitigate the noise over Woodcliff Lake and the entire Pascack Valley Region while having little to no impact on residential dwellings along the corridor; and

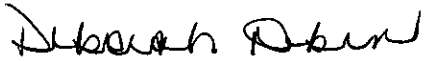
WHEREAS, the Governing Body seeks to join in the petition to the Federal Aviation Administration ("FAA") and traffic controller who mandate the air space to prioritize the Route 17 alternate route as the preferred route for arrivals to Runway 19 at Teterboro Airport.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey, hereby support the petition requesting the FAA and traffic controller to prioritize the Route 17 alternate route as the preferred route for arrivals to Runway 19 at Teterboro Airport; and

BE IT FURTHER RESOLVED that the Borough Administrator is hereby authorized and directed to forward a copy of this resolution to the Federal Aviation Administration, the municipalities comprising the Pascack Valley Region, TANAAC and our State and Federal representatives.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 20, 2023.



**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

TEB arrivals 6/13/23 - 24 Hours

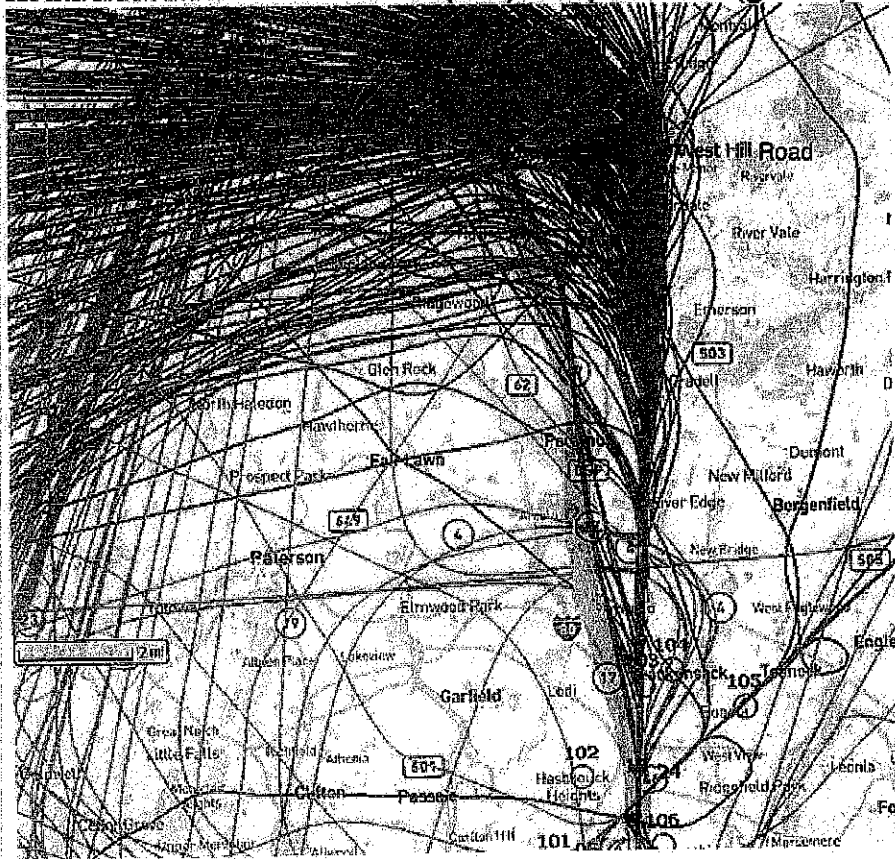
207 tracks through gate

293 total RWY 19 arrivals

320 total aircraft arrivals

Rendering of the RNAV GPS
X approach in Yellow

Arrivals (red)/ Departures (green)



Arrivals and departures - 24 hours

Reducing Jet Noise

REDUCE AIR TRAFFIC NOISE EN ROUTE TO TETERBORO AIRPORT (TEB)

975 people have signed this petition. Add your name now! →

975 people have signed.

10%

Michael Nazzari signed recently

To: Marie Kennington-Gardiner, Regional Administrator, Eastern Region, U.S. Department of Transportation, Federal Aviation Administration (FAA); FAA decision makers; Air Traffic Controllers at Terminal Radar Approach Control (TRACON) Whereas the notification for pilots to utilize Route 17, specifically RNAV GPS X RWY 19, to mitigate noise over Hackensack University Medical Center (HUMC), over Teterboro Aircraft Noise Abatement Advisory Committee (TANAAC) resident member towns and the Pascack Valley Region has been minimal; and Whereas the large volume of private jets flying into Teterboro Airport (TEB) brings noise to levels intolerable for many residents in the Pascack Valley Region; and Whereas TANAAC has been supportive of addressing these issues since 2016 and

SIGN PETITION

whereas voluntary noise abatement recommendations have failed to effectively

achieve the necessary utilization of this route.
Now, therefore, the undersigned concerned residents, including the Mayors of Emerson, Hillsdale, Montvale, Old Tappan, Oradell, Park Ridge, River Vale, Washington Township, Westwood, and Woodcliff Lake and TANAAC resident members do hereby petition the Federal Aviation Administration (FAA) and air traffic controllers who mandate this air space to

- prioritize the Route 17 alternate route as the *preferred* route for arrivals to

Runway 19 which is the RNAV GPS X at TEB Airport.

Background: The RNAV GPS X approach to Runway 19 avoids HUMC and the Pascack Valley region and provides relief to Teterboro Aircraft Noise Abatement Advisory Committee (TANAAC) resident members. The TANAAC Board is comprised of towns within five miles of Teterboro Airport which are concerned about the noise and flight patterns. The Taxpayers for Aircraft Noise Solution (TANS) is a community organization tasked with finding workable solutions to the aircraft noise which adversely affects the quality of life of residents in the Pascack Valley and surrounding towns. TANS' members evolved from TANAAC and believe there are solutions which can be undertaken that would improve residents' quality of life while continuing to provide safe and necessary access to air travel in and out of Teterboro Airport, Newark Airport and all others within our vicinity.

TANS c/o Park Ridge Borough
55 Park Avenue
Park Ridge, NJ 07656
tanspvnj@gmail.com

Share for Success



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta	X		X			
Higgins			X			
Marsh		X	X			
Pollack						X
Schnoll			X			
Margolis			X			
Mayor Rendo						

RESOLUTION AUTHORIZING EMERGENCY APPROPRIATION N.J.S.A. 40A:4-46

RESOLUTION NO. 23-257 NOVEMBER 20, 2023

WHEREAS, an emergency has arisen with respect to the repayment of tax appeal refunds and other related expenses, and no adequate provision was made in the 2023 Budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total emergency appropriation created including this appropriation to be created by this resolution is \$1,020,000 and three percent of the total operations in the budget for the year 2023 is \$394,150.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Governing Body of the Borough of Woodcliff Lake in the County of Bergen (not less than two-thirds of all members thereof affirmatively concurring) as follows:

In accordance with N.J.S.A. 40A:4-49, petition shall be made to the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey (the "Director") for permission to exceed the statutory limit of 3 percent for the creation of an emergency appropriation.

The Borough hereby authorizes and approves an emergency appropriation pursuant to N.J.S.A. 40A:4-46 and N.J.S.A. 40A:4-49 as follows:

Tax Appeal Refunding

\$1,020,000

That the Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.

That an "Emergency Note" not in excess of the above amount be authorized pursuant to N.J.S.A. 40A:4-49 and in accordance with the provision of N.J.S.A. 40A:4-51.

That an "Emergency Note" may be executed by the Mayor and the Chief Financial Officer and the seal affixed to and attested to by the Borough Clerk. The Chief Financial Officer is hereby authorized to sell said notes and any renewals thereof from time to time.

That said note may be renewed from time to time and such notes and any renewals thereof shall be payable on or before December 31, 2024.

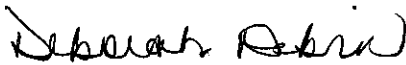
That two certified copies of this resolution be filed with the Director of Local Government Services.

That the statements required by the Local Finance Board have been filed with the Borough Clerk and a copy thereof will be transmitted to the Director of the Division of Local Government Services.

This resolution shall take effect after approval of the Director of the Division of Local Government Services.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen, and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of November 20, 2023.



DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE
BERGEN COUNTY, NEW JERSEY

This statement must be prepared in duplicate by the Chief Financial Officer or other responsible official and must be filed with the municipal clerk prior to the adoption of the emergency resolution. The duplicate thereof must be filed with the Director of Local Government Services at the time of filing the emergency resolution.

Need of Emergency Appropriation: An emergency exists relating to the repayment of tax appeal refunds and associated legal expenses and professional costs that were not included in the 2023 budget.

Date of Happening: November 20, 2023

Have any contracts been awarded or purchase orders placed in connection with this emergency appropriation? No

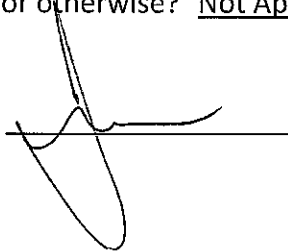
Have any payments been made in connection with this emergency appropriation? No

If costs are in excess of \$44,000 for either labor or materials, or both, will bids be advertised for? Not Applicable

If not, have resolutions been adopted declaring an exigency to exist which will not permit the advertisement for public bids? Not Applicable

Will work be performed by contract, force account or otherwise? Not Applicable

Signed



Title

Chief Financial Officer

DATE:

11/22/2023